(1) (8)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. NO. 1970 OF 2006

PETITIONER : Ramesh Kumar Gajendra, S/o Late Shri Ramcharan Gajendra, Aged about 28 years, R/o Village and Post Barbanda Police Station Dharseewa, District Raipur (C.G.)

P.R. No. 2033/06
Presented by Bashakant Gajendra
dated 23/3/06

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Through: the Secretary Education Department, D.K.S. Bhawan Raipur (C.G.)

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2. District Education Officer, Raipur, District Raipur (C.G.)

3. Block Education Officer , Block Dharseewa, District Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI OR APPROPRIATATE ORDER/DIRECTION ETC.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. → 1970/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

19-4-2006

Shri Bhaskar Payasi, counsel for the petitioner.

Shri A.S. Kachhawaha, Dy. Govt. Advocate for the State.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner submits that the petitioner's father, who was working as Principal in Primary School, died during service period on 15/4/2001 while in service and thereafter the petitioner applied for compassionate appointment which was denied. It is further submitted that in batch of cases bearing W.P. No.1322/2002 involving the same question orders have been passed by this Court on 20/12/2005. He prays that similar orders may be passed in this case also.

Learned counsel for the State does not dispute the above fact and states that the State of Chhattisgarh has taken a decision to consider the cases of dependants of those employees who died on or after 1/11/1997 strictly in accordance with the policy prevalent at that time.

In view of the submissions made by learned counsel appearing for the parties, without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the State of Chhattisgarh and the authorities concerned to consider and decide the case of the petitioner in accordance with the policy prevalent at the time of death of his father. If the petitioner found eligible, appointment orders will be issued as early as possible preferably within a period of four months. The petitioner is also directed to render due co-operation to the authorities.

With the aforesaid observations, this petition stands disposed of.

Certified copy as per rules.

Copy to the State counsel.

Sd/-
Fakhruddin
Judge

[पीछे देखिये